

John Butler, OSB 01177
Armstrong Bankruptcy Law Offices
440 East Broadway, Suite 100
Eugene, OR 97401
(541) 683-6652

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re:

Case No.: 09-61393-fra13

Joshua T Sutherlin
Sara R Sutherlin

MOTION TO WITHDRAW AS ATTORNEY
OF RECORD FOR DEBTORS

Debtors

John Butler and Armstrong Bankruptcy Law Offices, attorneys at law, hereby move the Court to withdraw as attorney of record for debtors in this Chapter 13 case because of ethical considerations set forth in the attached Affidavit of John Butler. Debtors have previously been advised of possibility that conflicts of interest may arise and necessitating my withdrawal of attorney of record on their behalf.

Debtor, Joshua T. Sutherlin's last known address and telephone number is:

PO Box 894
Halfway, OR 97834
(541) 540-3385

Debtor, Sara R Sutherlin's last known address and telephone number is:

504 E 2nd St
Cle Elum, WA 98922
(541) 852-1345

1 DATED this 9th day of February, 2011

2 ARMSTRONG BANKRUPTCY LAW OFFICES

3 By /s/John Butler

4 John Butler, OSB 01177

5 Withdrawing Attorney for Debtors

1 John Butler, OSB 01177
2 Armstrong Bankruptcy Law Offices
3 440 East Broadway, Suite 100
4 Eugene, OR 97401
5 (541) 683-6652
6 Attorney for Debtors

7 UNITED STATE BANKRUPTCY COURT
8 FOR THE DISTRICT OF OREGON

9 In re:

Case No.: 09-61393-fra13

10 Joshua T Sutherlin
11 Sara R Sutherlin
12 Debtors

AFFIDAVIT IN SUPPORT OF
MOTION TO WITHDRAW AS
ATTORNEY FOR DEBTORS

13 COUNTY OF LANE)
14) ss
15 STATE OF OREGON)

16 I, John Butler, being first duly sworn on oath, depose and
17 say:

18 I am the attorney of record for debtors Joshua T Sutherlin
19 and Sara R Sutherlin in their joint Chapter 13 bankruptcy case
20 originally filed March 30, 2009. Debtors were divorced post-
21 petition. Debtor, Sara R Sutherlin, has moved to Cle Elum,
22 Washington, and debtor, Joshua T Sutherlin, resides in Halfway,
23 Oregon. After debtors' divorce, wage orders were filed with
24 each of the debtor's employers requiring each debtor to pay half
25 of the Chapter 13 plan payment herein. At the time of debtors'
divorce, it appeared that there were no conflicts between the
debtors that would affect my representation of them jointly in
their Chapter 13 case. However, issues have arisen between them
impacting their financial circumstances wherein I have been
informed by debtor, Sara R Sutherlin, that each of the debtors
has retained counsel to litigate child custody and support

1 issues. Furthermore, I have been informed by both debtors that
2 there is some disagreement over who will claim their children as
3 dependants for 2010 and potential issues may arise as to how to
4 handle the earned income portion of debtor's tax refunds that
5 will result from the allocation of those dependents. Therefore,
6 obvious conflicts have now developed between the parties where I
7 can no longer ethically represent them jointly in this case.

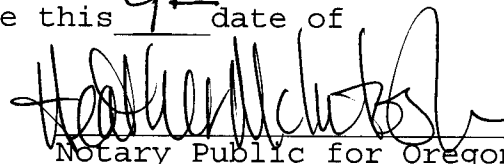
8 I therefore respectfully request the court to allow me to
9 withdraw as attorney of record for debtors.

10 DATED this 9th day of February, 2011

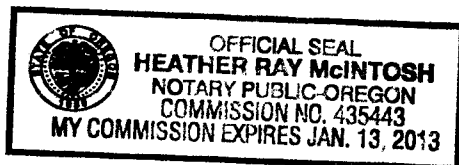
11 

12 John Butler, OSB 01177
13 Withdrawing Attorney for Debtors

14 SUBSCRIBED AND SWORN TO be for me this 9th date of
15 February, 2011.

16 

17 Notary Public for Oregon
18 My commission expires 1/13/13



CERTIFICATE OF MAILING

I certify that I served the foregoing MOTION TO WITHDRAW AS ATTORNEY FOR DEBTORS AND AFFIDAVIT IN SUPPORT OF MOTION TO WITHDRAW AS ATTORNEY FOR DEBTORS on each of the following by depositing with:

X Served electronically via ECF
XX U.S. Post Office, Eugene, Oregon

an exact and complete copy thereof, enclosed in a sealed envelope, addressed to the respective party or attorney for each party, as shown below, at the party or attorney's regular address:

X Office of the US Trustee, 405 E 8th Ave, Eugene, OR 97401

X Fred Long, Trustee, PO Box 467, Eugene, OR 97440

XX Joshua T Sutherlin
PO Box 894
Halfway, OR 97834

XX Sara R Sutherlin
504 E 2nd St
Cle Elum, WA 98922

DATED this 9th day of February, 2011



John Butler, OSB 01177

Of Withdrawing Attorney for Debtors